

center during the year, including a description of progress made in facilitating the priorities described in subsection (f) of this section.

**(j) Authorization of appropriations**

**(1) In general**

There are authorized to be appropriated to carry out this section—

- (A) \$25,000,000 for fiscal year 2005;
- (B) \$50,000,000 for fiscal year 2006; and
- (C) \$75,000,000 for each of fiscal years 2007 through 2010.

**(2) Grant information analysis center**

Of amounts made available under paragraph (1), not more than \$4,000,000 for each fiscal year shall be made available to carry out subsection (h) of this section.

(Pub. L. 107–171, title IX, §9011, as added Pub. L. 108–199, div. A, title VII, §778(b), Jan. 23, 2004, 118 Stat. 41.)

**CHAPTER 108—TREE ASSISTANCE PROGRAM**

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8201.	Definitions.
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8204.	Limitations on assistance.
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**§ 8201. Definitions**

In this chapter:

**(1) Eligible orchardist**

The term “eligible orchardist” means a person that produces annual crops from trees for commercial purposes.

**(2) Natural disaster**

The term “natural disaster” means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, and other occurrence, as determined by the Secretary.

**(3) Secretary**

The term “Secretary” means the Secretary of Agriculture.

**(4) Tree**

The term “tree” includes a tree, bush, and vine.

(Pub. L. 107–171, title X, §10201, May 13, 2002, 116 Stat. 490.)

**§ 8202. Eligibility**

**(a) Loss**

Subject to subsection (b) of this section, the Secretary shall provide assistance under section 8203 of this title to eligible orchardists that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary.

**(b) Limitation**

An eligible orchardist shall qualify for assistance under subsection (a) of this section only if the tree mortality of the eligible orchardist, as

a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(Pub. L. 107–171, title X, §10202, May 13, 2002, 116 Stat. 490.)

**§ 8203. Assistance**

Subject to section 8204 of this title, the assistance provided by the Secretary to eligible orchardists for losses described in section 8202 of this title shall consist of—

- (1) reimbursement of 75 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or
- (2) at the option of the Secretary, sufficient seedlings to reestablish a stand.

(Pub. L. 107–171, title X, §10203, May 13, 2002, 116 Stat. 491.)

**§ 8204. Limitations on assistance**

**(a) Amount**

The total amount of payments that a person shall be entitled to receive under this chapter may not exceed \$75,000, or an equivalent value in tree seedlings.

**(b) Acres**

The total quantity of acres planted to trees or tree seedlings for which a person shall be entitled to receive payments under this chapter may not exceed 500 acres.

**(c) Regulations**

The Secretary shall promulgate regulations—

- (1) defining the term “person” for the purposes of this chapter, which shall conform, to the maximum extent practicable, to the regulations defining the term “person” promulgated under section 1308 of this title; and
- (2) promulgating such regulations as the Secretary determines necessary to ensure a fair and reasonable application of the limitation established under this section.

(Pub. L. 107–171, title X, §10204, May 13, 2002, 116 Stat. 491.)

**§ 8205. Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this chapter.

(Pub. L. 107–171, title X, §10205, May 13, 2002, 116 Stat. 491.)

**CHAPTER 109—ANIMAL HEALTH PROTECTION**

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8301.	Findings.
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